

Application Serial No. 10/589,444
Reply to office action of February 19, 2009

PATENT
Docket: CU-4990

REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

Claims 1-12 are pending before this amendment. By the present amendment, claims 10-11 are canceled without prejudice; and claims 1 and 4 are amended. No new matter has been added.

Amendment to the Claims

Claim 1 is amended as follows:

1. (Currently Amended) A method for realizing metering pulses in the Next Generation Network (NGN), comprising the steps of:

delivering from a media gateway controller to a media gateway a metering pulse information message;

selecting, by the media gateway according to an indication of the received metering pulse information message, one group of a number of metering pulses to be transmitted and a transmission interval between two adjacent metering pulses from numbers of metering pulses to be transmitted and transmission intervals between two adjacent metering pulses which are provided in the media gateway, wherein the numbers of the metering pulses to be transmitted and the transmission intervals between adjacent metering pulses are configured in a plurality of groups; and

C. transmitting the metering pulses periodically to a user equipment according to the obtained number of metering pulses to be transmitted and transmission interval between two adjacent metering pulses.

Support for this amendment can be found at least in the specification on page 13, [0054], and the original claims 10 and 11. Claims 10 and 11 are cancelled without prejudice.

Regarding Claim Rejections – 35 USC § 102 & 103

The applicant has fully considered the examination opinions as well as the cited references, and has amended the claims as stated above. The applicant respectfully

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submits that the amended claims 1-9 and 12 are patentable under 35 USC § 102 & 103 over the cited references for at least the following reasons

In the office action (page 2), claims 1, 3, 5, 12 stand rejected as being anticipated by U.S. Publication No. 2005/0135578 (Ress). The "et al." suffix is omitted in a reference name.

In the amended claim 1, the numbers of the metering pulses to be transmitted and the transmission intervals between two adjacent metering pulses are configured in a plurality of groups and are stored in the media gateway (MG). In this way, one group may be selected according to an indication of the metering pulse information message sent from the media gateway controller (MGC), so that the metering pulses may be transmitted periodically to a user equipment according to the selected one group.

By configuring the number of the metering pulses and the transmission interval between two adjacent metering pulses into a plurality of groups in the media gateway, the number of the metering pulses and the transmission interval between two adjacent metering pulses can be obtained directly once the media gateway receives a request for charging. Furthermore, the media gateway controller may give an indication for choosing according to the requirement on metering in the request delivered to the media gateway, so that the media gateway may select one among the groups according to the indication, and thereby control over the metering can be more flexible (Please refer to paragraph [0054] on page 13, lines 8-20, in the originally filed description).

Ress is directed to metering in packet-based telephony networks. Ress discloses that an MGC 26 sends to an MG 22 a single metering message which will provide sufficient information supporting the particular telephony endpoint 16(A) or 16(B) to allow the MG 22 to provide the necessary metering. Ress fails to disclose the following:

--selecting, by the MG, according to an indication of the received metering pulse information message, **one group** of a number of metering pulses to be transmitted and a transmission interval between two adjacent metering pulses **from** numbers of metering pulses to be transmitted and

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transmission intervals between two adjacent metering pulses which are
provided in the MG, wherein--

--the numbers of the metering pulses to be transmitted and the
transmission intervals between adjacent metering pulses are **configured**
in a plurality of groups--

**Accordingly, for at least the above reasons, the applicant respectfully
submits that the amended claim 1 of the present application is not anticipated by
Ress.**

**In the office action (page 4), claims 4 and 6-11 stand rejected as being
obvious over Ress in view of U.S. Publication No. 2004/0028206 (Freyman). The
"et al." suffix is omitted in a reference name.**

The applicants respectfully submit Freyman fails to make up for the deficiencies of Ress, and thus Ress in combination with Freyman does not teach or suggest the present invention of claim 1.

Freyman is directed to a method for adapting remote access telephony networks to national deviations. It provides detailed description on how to expand the original Network Call Signaling (NCS) work in order to enhance the access networks. As disclosed by **paragraph [0076]** of Freyman, a new line package is defined for NCS. These messages are used to direct the access device to set parameter values or conditions as disclosed by **paragraph [0077]** of Freyman.

Paragraph [0077] of Freyman further discloses "a message is sent to the access device" (from a system operator node) and "which message completely adjusts the given line signaling parameters...". As can be seen, this message is sent to the access device instead of an MG. In addition, it is not disclosed or implied that the line signaling parameters include the metering pulse information. In addition, though this paragraph [0077] discloses that the device can be configured to adjust the signaling parameters according to a received message, it fails to disclose, teach, or suggest that the information about the metering pulses to be sent is configured into a plurality of groups

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and stored in an MG so that the MG can select one group when receiving a metering pulse information message from an MGC.

Paragraphs [0121] and [0124] of Freyman describe two parameters "pr" and "rep" which denote pulse repeat interval and the number of pulses, respectively. These two parameters are contained in a "Pulsed Signal Request", which is obtained by mapping a V5 ESTABLISH message by a MTA (Media Terminal Adapter) according to parameters transferred from a local exchange (Paragraph [0098] of Freyman). Though the two paragraphs disclose the two parameters as well as the pulsed signal request containing the two parameters, they fail to disclose or suggest that the metering pulse information including the two parameters is configured into a plurality of groups and stored in an MG so that the MG can select one group when receiving a metering pulse information message from an MGC.

In addition, the MTA is quite different from an MG, and the IPAT or local exchange which sends the message to the MTA is quite different from an MGC which sends the metering pulse information message to the MG.

Therefore, these paragraphs do not teach that the device can be configured to the functionality of the MG as claimed by the amended claim 1 of the present application.

In summary, the cited paragraphs [0077], [0121] and [0124] do not disclose or suggest the following:

- selecting**, by [the MTA or] MG, **one group** of number of pulses to be transmitted and a transmission interval between two adjacent pulses from numbers of metering pulses to be transmitted and transmission intervals between two adjacent metering pulses which are **provided in the [MTA or] MG**, wherein--
- the numbers of the metering pulses to be transmitted and the transmission intervals between adjacent metering pulses are **configured in a plurality of groups**.

A careful review of the entire document of Freyman shows that nowhere in Freyman discloses or suggests the solution including the above technical features. That

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is, the amended claim 1 cannot be rendered obvious by Freyman based on the teaching of Ress.

Regarding claims 3-12, the applicants respectfully submit that these claims are allowable at least since they depend from claim 1, which is now considered to be in condition for allowance for the reasons above.

In the office action (page 3), claim 2 is rejected as being obvious over Ress in view of U.S. Patent No. 4,582,957 (Hayes). The "et al." suffix is omitted in a reference name.

The applicants respectfully submit that Hayes fail to compensate for the deficiencies of Ress and Freyman.

Hayes is directed to a call interceptor, particularly to an automatic telephone answering and message recording system. A careful review of the entire document of Hayes reviews that nowhere in Hayes discloses or pays any attention to the following:

--selecting, by the MG, **one group** of a number of metering pulses to be transmitted and a transmission interval between two adjacent metering pulses **from** numbers of metering pulses to be transmitted and transmission intervals between two adjacent metering pulses which are **provided in the MG**, wherein
- the numbers of the metering pulses to be transmitted and the transmission intervals between adjacent metering pulses are **configured In a plurality of groups**.

Therefore, it cannot have been obvious to one having ordinary skill in that art at the time of the invention to combine the method of Ress with the methods of Freyman and/or Hayes to form the solution of the amended claim 1. Furthermore, **claim 2** depends from claim 1 and should be allowable for at least the same reasons.

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For at least the above reasons, the applicant respectfully submits that the amended claim 1, as well as the dependent claims 2-9 and 12, are patentable under 35 USC § 102 & 103 over the cited references.

To this end, the applicant respectfully submits that claims 1-9 and 12, now pending in this application, are in condition for allowance over the cited references. Accordingly, the applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and earnestly solicits an indication of allowable subject matter.

This amendment is considered to be responsive to all points raised in the office action. Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,

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